

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. SEP 24 1993

Returned to applicant for correction. \_\_\_\_\_

Corrected application filed. \_\_\_\_\_ Map filed. SEP 24 1993

The applicant. NEVADA DEPARTMENT OF TRANSPORTATION

1263 SOUTH STEWART STREET of CARSON CITY  
Street and No. or P.O. Box No. City or Town

NEVADA 89712 hereby make application for permission to change the  
State and Zip Code No.

point of diversion, place and manner of use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Orr Ditch Decree Claim No. 316  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is. Truckee River  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 0.0361 cfs - 9.12 acre feet  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Wetlands and Water Quality  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. As Decreed Purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. Last Chance Ditch within SE¼ NE¼, Section  
Describe as being within a 40-acre subdivision of public survey and by course and

14, T19N R18E, MDM at a point from which the NE corner of said Section 14 bears  
distance to a section corner. If on unsurveyed land, it should be stated.

N 24° 26' E, a distance of 1,840 feet

6. The existing permitted point of diversion is located within. Orr Ditch within NE¼ SW¼, Section 17,  
If point of diversion is not changed, do not answer.

T19N R19E, MDM at a point from which the SW corner of said Section 17 bears

S 44° 40' W, a distance of 3,211 feet

7. Proposed place of use. see attached description  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. 2.28 ac NE¼ SE¼, Section 32 T20N R20E, MDM - Totaling  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

9.12 ac ft  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. as decreed to as decreed of each year.  
Month and Day Month and Day

10. Use was permitted from. as decreed to as decreed of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) Utilizing the existing diversion dam and  
State manner in which water is to be diverted, i.e. diversion structure,

structures of the Last Chance Ditch water will be diverted to place of use  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. none - existing

13. Estimated time required to construct works. none- existing

14. Estimated time required to complete the application of water to beneficial use. 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

see attached description

Please send copies of all correspondence and notices to: Michael D.

Buschelman, 5405 Mae Anne Ave., Reno, NV 89523

By s/Jon Z. Bunch Manager, R/W Engineering  
1263 S. Stewart Street  
Carson City, NV 89712

Compared bc/bc jr/vjw

Protested 1/5/94 by: Jack Ferris:

APPROVAL  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 316, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0361 cubic feet per second, but not to exceed 9.12 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before November 4, 1995

Proof of completion of work shall be filed before December 4, 1995

Application of water to beneficial use shall be made on or before November 4, 1998

Proof of the application of water to beneficial use shall be filed on or before December 4, 1998

Map in support of proof of beneficial use shall be filed on or before December 4, 1998

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 4th day of November

A.D. 1994

R. Michael Turnipseed, P.E.  
State Engineer

WITHDRAWN BY APPLICANT NOV 13 1995  
R. Michael Turnipseed, P.E.  
STATE ENGINEER

ATTACHMENT  
APPLICANT - NEVADA DEPARTMENT OF TRANSPORTATION  
APPLICATIONS TO CHANGE A PORTION  
OF ORR DITCH DECREE  
CLAIM NO.S 91, 91A AND 316

ITEM NO. 7 - PROPOSED PLACE OF USE

SECTION 8, T.18 N., R.20 E., MDM.

SE1/4 NW1/4	1.06 acres
SW1/4 NW1/4	2.00 acres
SW1/4 SE1/4	0.13 acres
NW1/4 SW1/4	3.27 acres
NE1/4 SW1/4	1.04 acres
SE1/4 SW1/4	4.75 acres

SECTION 16, T.18 N., R.20 E., MDM.

SW1/4 NW1/4	0.11 acres
NW1/4 SW1/4	1.13 acres

SECTION 17, T.18 N., R.20 E., MDM.

NE1/4 SE1/4	0.80 acres
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ITEM NO. 12 - REMARKS

The proposed place of use legal descriptions are recorded in Washoe County, Nevada, Records Office under Official Records, Book 350/Page 43 and Book 567/Page 128. The existing place of use under Orr Ditch Decree Claim No.s 91 and 91A is defined by the Judgement and Decree dated April 15, 1993, Case No. CV92-04000, Department No. 4, between Crystal Peak Properties (Plaintiff) and the State of Nevada, Department of Transportation (Defendant) recorded at the Washoe County, Nevada, Clerks Office and the Division of Water Resources. The existing place of use under Orr Ditch Decree Claim No. 316 legal description is recorded in Washoe County, Nevada, Records Office under Official Records, Book 1515/Page 115 and at the Division of Water Resources.